

Notice of Allowability

Application No.

09/787,961

Examiner

John M. Winter

Applicant(s)

PRANGE ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The amendment filed on November 28, 2006.
2. ☒ The allowed claim(s) is/are 37,39,40 and 42-56.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Zura on January 18, 2006.

Claim 37.

A system for securely paying for goods and services, comprising:
a base telecommunication station having a radio device for transmitting data required for payment to a mobile radio device and for receiving data from the mobile radio device; and the mobile radio device which includes: a reception device for receiving the data transmitted by the base telecommunication station; an interrogation device connected to the reception device for requesting confirmation for the payment; a transmission device connected to the interrogation device for transmitting data for at least one of initiating a payment operation and transmitting acknowledgement data for the payment operation to the base telecommunication station; a conversion device, connected to the reception device, for converting the data received into a format which is suitable for a payment operation; and a conversion unit which converts data which has been transmitted by the base telecommunication station and is required for payment, into a readable short message, conforming to a mobile radio standard, such that a sender telephone number entered is the telephone number of a telecommunication device of one of a financial institution and or a bill issuer which has been transmitted with the data required for payment.

Claim 43.

A method for securely paying for goods and services, comprising: communicating data required for payment between a mobile radio device and a base telecommunication station comprising a radio device; receiving the data transmitted by the base telecommunication station in a reception device of the mobile radio device; requesting confirmation for the payment via an interrogation device connected to the reception device; transmitting data for at least one of initiating a payment operation and transmitting acknowledgement data for the payment operation to the base telecommunication station via a transmission device in the mobile radio device connected to the interrogation device; converting the data received into a format which is suitable for a payment operation via a conversion device, connected to the reception device; and converting data which has been transmitted by the base telecommunication station and is required for payment, into a readable short message, conforming to a mobile radio standard, such that a sender telephone number entered is the telephone number of a telecommunication device of one of a financial institution and or a bill issuer which has been transmitted with the data required for payment.

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Allowable Subject Matter

Claims 37, 39, 40 and 42-56 are allowed over the prior art record.

1. The following is an examiner's statement of reasons for allowance:
2. The closest prior art of record Kawan (US Patent No 6,442,532) teaches a financial information and transaction system utilizes wireless communication in connection with portable terminals. Akiyama (EP 1 041 767 A2) teaches a system for authenticating data send to a certified system. MeT White paper on mobile transactions teaches a system implementing mobile business transactions.

What they fail to teach or suggest:

As per claims 37 and 43,
none of the art of record, taken individually or combination disclose at least the steps/components of : a conversion unit which converts data, which has been transmitted by the base telecommunication station and is required for payment, into a short message conforming to a mobile radio standard such that the sender telephone number entered is the telephone number of a telecommunication device of one of a financial institution or a bill issuer which has been transmitted with the data required for payment.

Even if the missing features were found in a reasonable number of references, a person having ordinary skill in the art at the thing of the invention would not have been motivated to combine these reference because the smart card amount of Kawan is already encrypted with a bank signature prior to the occurrence of any transaction, a subsequent converting of the data would add additional overhead to the transaction process and teaches away from a terminal being utilized as a source of rapid credit authorization. Rosen teaches a conventional electronic-monetary system that communicates over a conventional computer land-line network (col. 7, lines 20-45) - Rosen is silent regarding the use of wireless communication .

Claims 39, 40 and 42-56 are dependant upon claims 37 and 43 respectively and are therefore allowable for at least the same reasons.

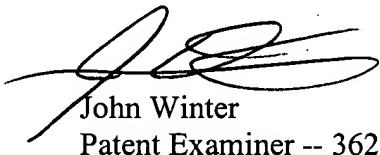
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Winter whose telephone number is (571) 272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Patent Examiner -- 3621



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